

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIGUEL AVALOS-DIAZ,
JOSE S. PEREZ

Defendants.

8:22-CR-139

FINAL ORDER OF FORFEITURE

This matter is before the Court on the United States' Motion for a Final Order of Forfeiture.

[Filing 155](#). Having reviewed the record in this case, the Court finds as follows:

1. On October 30, 2023, the Court entered a Preliminary Order of Forfeiture forfeiting the Defendants' interests in a 2010 black Audi A6 4-door sedan, VIN WAUKGAFB2AN052489, Nebraska License Plate No. WWT785. [Filing 136](#).¹

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on November 1, 2023, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on January 8, 2024. [Filing 154](#).

¹ The Forfeiture Allegation included in the Indictment claimed that in addition to the Audi, \$36,598.00 in United States currency seized from the residence of 1303 Washington Street in Omaha, Nebraska, on or about March 30, 2022, was also subject to forfeiture. [Filing 1 at 3](#). However, the Government noted in its Motion for Preliminary Order of Forfeiture that the Drug Enforcement Administration "has administratively forfeited the \$36,598.00 in United States currency" and, therefore, "no judicial forfeiture is necessary for the currency." [Filing 133 at 1](#). The Government repeats this assertion in its Motion for Final Order of Forfeiture as well. [Filing 155 at 1](#). Because the Government has only requested that the Court "issue a Final Order of Forfeiture regarding the 2010 black Audi A6, 4-door sedan[.]" [Filing 155 at 2](#), the \$36,598.00 in United States currency is not subject to this Order.

3. The United States advises the Court that no party has filed a petition regarding the subject Property. From a review of the record, the Court finds that no person or entity has filed a petition.

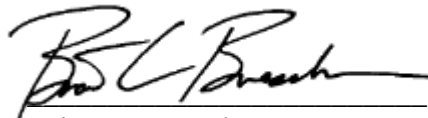
4. The Motion for Final Order of Forfeiture should be granted. Accordingly,

IT IS ORDERED:

1. The Government's Motion for Final Order of Forfeiture, [Filing 155](#), is granted;
2. All right, title and interest in and to the 2010 black Audi A6 4-door sedan, taken from Defendants on or about March 30, 2022, held by any person or entity are forever barred and foreclosed;
3. The 2010 black Audi A6 4-door sedan is forfeited to the Government; and
4. The Government is directed to dispose of the vehicle in accordance with law.

Dated this 9th day of January, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge